

SPECIAL CIVIL APPLICATION No 3776 of 1989

Hon'ble MR.JUSTICE S.K.KESHOTE

[illegible]

5. Whether it is to be circulated to the Civil Judge? : NO

Versus

MAMLATDAR

Appearance:

MR NIRZAR DESAI for MR YN OZA for Petitioner

MS MANIFHS LAVKUMAR for M/S PATEL ADVOCATES for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 23/06/2000

ORAL JUDGEMENT

#. The petitioner is a Class-IV employee of Revenue Department is making grievance in this petition that the

order under which he has been transferred to the office of the Taluka Panchayat will adversely effect his service condition. On being put by the court, the learned counsel for the petitioner admits that the petitioner is only concerned with seniority in this matter and not for other service conditions.

#. This petition was placed in the court for preliminary hearing on 9.6.1989. Notice was issued to the respondents and interim relief has been granted in favour of the petitioner, which reads as under :-

"Notice returnable on 19.6.89.

Pending admission, by way of interim relief, the respondents are restrained from transferring the petitioner from the office of the Mamlatdar to the office of the Taluka Panchayat, Patan till 20.6.89. D.S. permitted"

#. Thereafter the matter was admitted on 29.4.91 and interim relief was ordered to continue. The learned counsel for the parties are in agreement that the interim relief continues till today. As a result of this interim relief, the order of the transfer of the petitioner from Revenue Department (office of Mamlatdar) to the Taluka Panchayat has not come into effect.

#. The Special Civil Application is disposed of in the terms that the order may not be given effect to and if the respondent desirous of giving effect to this order then opportunity of hearing be given to the petitioner and only after hearing him, appropriate order be passed and copy of the same be sent to the petitioner by Regd. Post A.D.

This Special Civil Application and Rule stand disposed of accordingly with no order as to costs.

(S.K.Keshote, J.)

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